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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,969	04/11/2001	Michael L. Obradovich	42254/DMC/C685	3844

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EXAMINER

NGUYEN, LEE

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/833,969	OBRADOVICH, MICHAEL L.	
	Examiner	Art Unit	
	LEE NGUYEN	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/5/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-5, 7-15 and 18-28 is/are pending in the application.
- 4a) Of the above claim(s) 4, 10-12 and 18-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3, 5, 7-9, 13-15, 27-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/05/06 has been entered.

Claims 1-2, 6, 16-17, have been canceled. Claims 3-5, 7-15, 18-28 remain in prosecution. Claims 4, 10-12, 18-26 have been withdrawn from consideration.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5, 7-9, 13-15 and 27-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Havinis et al. (US 6,360,102) in view of Strunk et al. (US 2002/0068551).

Regarding claim 3, Havinis teaches a method of providing contact information regarding a user, the method comprising: allocating a user-specific space in memory accessible over a computer network MLC 270 (fig. 2) to a specific user MS 200 (col. 2, lines 23-27); associating a mobile communication device MS 200 with the user (subscriber col. 5, lines 35-39); determining a location of the user by receiving location information provided by a mobile communication device (col. 2, lines 23-27 and line 60 – col. 3, line 5); storing data indicative of the location of the user in the use-specific space (col. 2, lines 25-26); receiving an access list of possible requesters of the data in the user-specific space and providing the data indicative of the location of the user to possible requesters on the access list (col. 4, lines 5-10); and providing the data indicative the data regarding the user to possible requesters on the access list (col. 5, line 60 – col. 6, line 24). Havinis fails to teach receiving from the user, additional data, the additional data being related to the location of the user and storing the additional data regarding the user in the user-specific space. Strunk teaches receiving from the user, additional data, the additional data being related to the location of the user and storing the additional data regarding the user in the user-specific space (see para [0017] and [0019]). It would have been obvious to one of ordinary skill in the art at the time the invention was made combine Strunk with Havinis so that the caller can contact the callee via alternate means.

Regarding claim 5, Havinis teaches a location relevant server system comprising: a personal communication device 200 (fig. 2) comprising a GPS receiver and wireless

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communication capability (col. 2, line 65 – col. 3, line 3); a GPS server 260 receiving information indicating a location and unit identifier associated with the PCD, the GPS server 260 providing the PCD location and the unique identifier associated with the PCD to an application server 270, 360 (col. 2, lines 20-27); the application server 270, 360 configured to execute a program upon receiving the location and the unique identifier information associated with the PCD to update a user specific data space with a current location and the unique identifier associated with the PCD (col. 2, lines 20-27); the application server further configured to allow different users different access to the application server 21 based on the identity of a user (col. 4, lines 5-10). Havinis also teaches that the application server is further configured to store received from and information concerning an individual associated with the PCD in the user specific data space, the stored information in the user specific data including the access list of possible requested users is received from the user and storing in the user specific space (col. 4, lines 5-10, col. 5, line 60 – col. 6, line 24). Havinis fails to teach that the information stored in the user specific data space includes additional information related to the location of the individual associated with the PCD. Strunk teaches that data concerning establishment of communication with the mobile communication device such as contact information email, fax, individuals can be stored in a contact database, which are provided by the user (see para [0006] – [0009], [0017], [0019]). It would have been obvious to one of ordinary skill in the art at the time the invention was made combine Strunk with Havinis so that the caller can contact the callee via alternate means.

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Regarding claim 7, the combination of Havinis and Strunk also teaches that the application server provide information concerning the individual to a requester (see para [0009] of Strunk).

Regarding claim 8, the combination of Havinis and Strunk also teaches that the application server is configured to modify data in the user specific data space (Havinis, col. 5, line 60 – col. 6, line 4).

Regarding claim 9, the combination of Havinis and Strunk also teaches contact information regarding the individual (see para [0017] of Strunk).

Regarding claim 13, the combination of Havinis and Strunk also teaches that the GPS server is configured to send PCD locations and identifiers to the application server (Havinis, col. 2, line 60 – col. 3, line 3).

Regarding claim 14, the combination of Havinis and Strunk also teaches that the application server is configured to provide different information concerning the individual to the different requesters (see [0011] and [0017] of Strunk).

Regarding claim 15, the combination of Havinis and Strunk also teaches that the user specific data space stores contact information regarding the user associated with the PCD (see [0017] of Strunk).

Regarding claims 27-28, the combination of Geiger and Strunk also teaches the phone, fax and e-mail information (see para [0006], [0007] and [0009] of Strunk).

Response to Arguments

Applicant's arguments with respect to claims 3, 5, 7-9, 13-15, 27-28 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE NGUYEN whose telephone number is 571-272-7854. The examiner can normally be reached on FIRST FRIDAY OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ANDERSON D. MATTHEW can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

 2/2/07
LEE NGUYEN
PRIMARY EXAMINER